Bottoms Administration

Police Use of Force Advisory Council

June 23, 2020



Proposed 06/23 AC Agenda

For today's discussion



Agenda

Process update

14-day early actions report list

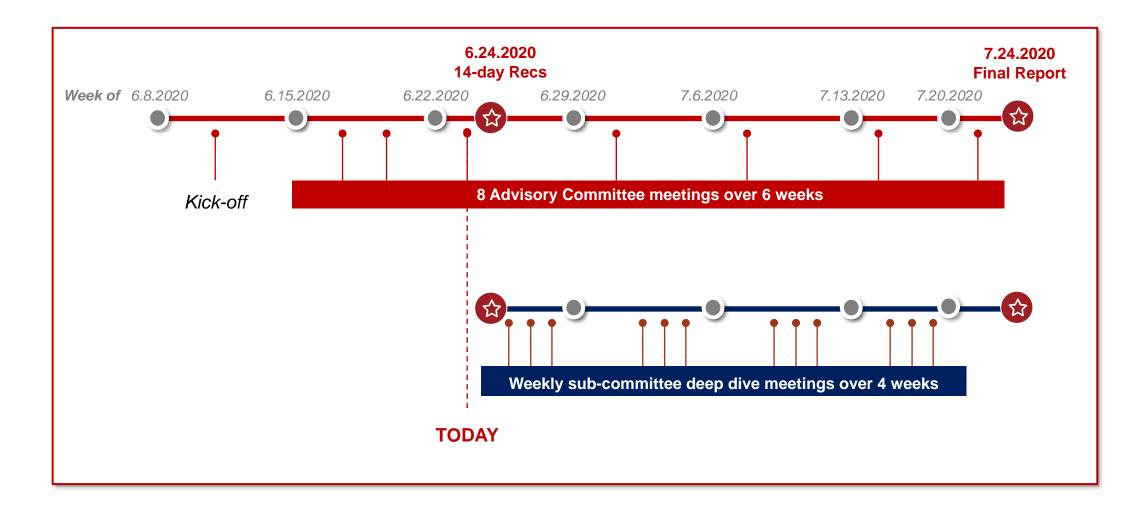
Focus group discussions

Next steps



Process update

We have one additional meeting until submitting our 14-day recommendations to the Mayor



Process update



Remembering our goals and process for today

Advisory Council Goals

- **REVIEW** our police use of force policies
- **ENGAGE** our community as we develop solutions informed by national expertise and appropriate to Atlanta's context
- **REPORT** the findings of our review to our community and seek feedback
- **REFORM** our community's police use of force policies

Considerations for today's meeting

- As we go through the full group session today, please use the chat box to ask questions and we will take items from there
- Starting this week, working groups will be established and meet weekly outside of full group meetings, focusing on the initiatives prioritized for the 45-day report



These Recommendations are a subset of the opportunities identified by the Advisory Council

Law & Policy Culture & Mindset Shift

Community & Partnerships

Actions in focus **today**

5

3

2



Current initiatives **under consideration** for 45-day report

14+

13+

10+

Recommendation for immediate actions

Law & Policy Culture & Mindset Shift Community & Partnerships Tick

- Commit to revising the Use of Force continuum in Standard Operating Procedure (SOP) to increase specificity and align with best practices
- Ensure that changes taken under the Mayor's Administrative Orders 2020-18 align with best practice policy changes from other cities and continue measures for accountability
- Mandate immediate drug testing for officers when a Use of Force incident resulting in serious injury or death occurs
- Commit to identifying policies to improve officer compliance and public transparency of captured body worn camera footage
- Create a centralized repository for witness footage of Use of Force by officers

- Commit to re-evaluating and revising mission, vision, core values, and oath of the Atlanta Police Department
- Conduct additional screenings including mental health and implicit bias assessments - for all applicants during the recruiting process, and on an ongoing basis for all officers
- Require more exhaustive background checks with attention to record of complaints from other agencies, previous applications to police departments, and social media sentiment

- Extend powers and community awareness of Atlanta Citizen Review Board (ACRB), including:
 - Mandated 3rd party audit of misaligned recommendations in Use of Force incidents
 - Increased funding to improve ACRB outreach, awareness, and program effectiveness
- Begin evaluating policies, procedures, and partner organizations for least harm approach to reduce the likelihood of use of force long-term, including:
 - Evaluate partnership model, resourcing, and legal framework for non-law enforcement officials to respond to community
 - Expand and incentivize adoption of Pre-Arrest Diversion program across additional zones





- Focus area groups will break into smaller subgroups that will go deep on specific thematic areas to make recommendations
 - Rather than having 40+ high-level recommendations across several areas, we'll work to develop 4-5 plans (depth over breadth)
- Going forward, we will have weekly meetings of the full group and subgroup leads will hold working meetings in between
- Subgroups will report progress to the full group on weekly basis and discuss areas of overlap / further needs
- Subgroups will have full access to any perspectives needed from inside the City of Atlanta and the ability to reach out to external resources



Breakout objectives for today

- Review 14-day recommendations for your focus area and provide any final feedback prior to 6/24 submission
- Reach a consensus within your group on which 1-2 subgroup topics to focus on in the coming 30 days
- Create subgroups to drive the progress across these initiatives and select subgroup leads
 - All subgroups will be shared with the AC following this meeting, with members able to join any they choose
- Begin to think through the fact base / background information that needs to be developed in order to make progress on subgroup focus area
- Schedule the first subgroup meeting for this week

Potential / example subgroup deep dives





Law & Policy

- Focus on improving reporting and transparency on Use of Force for Atlanta
- Compile national best practices for continuum of force and de-escalation for consideration in Atlanta
 - Identify areas for lobbying and change at the State level to enable further law and policy reform
 - Training requirements for policy changes or policy gaps
 - Accountability tied to policy changes



Cultural & Mindset Shift

- Explore officer evaluations and determining opportunities for more holistic feedback on performance
- Develop guiding principles for the future of APD (e.g., values, mission, vision, core objectives, core metrics to incentivize servant leader mindset)
- Identify national best practice trainings to bring to APD not currently used



Community & **Partnerships**

- Strengthen trust, accountability, and awareness through improvements to the ACRB
- Expand and further incentivize nonlaw enforcement alternatives (e.g. the Pre-Arrest Diversion program) to improve least harm policing approach to working in the community
- Develop a partnership model for the community to set join priorities for APD within that community (e.g. town halls)

Emerging 45 day sub-committee focuses (I/II)



Prioritized based on Advisory Council sessions and survey results



Theme	Recommended action
Conduct guidelines	Compile national best practices for continuum of force and de- escalation for consideration in Atlanta
Reporting & transparency	Focus on improving reporting and transparency for Use of Force

Law & Policy sub-committee focuses



Fact base to inform 45 day recommendation

	Current state	examples	Data & analysis	Additional resources
Use of Force	APD Use of Force annual reports	Parallel reform efforts, e.g.,: • NY Police-STAT act	Detailed APD Use of Force data / reports	COA / APD experts: • APD legal experts • APD data experts
reporting & transparency	Public APD reporting – e.g., Annual Teports, OPS reports		Catalog of internal/externally published APD reporting / KPIs	 COA internal reporting experts
			Current process for evaluating / sharing BWC data	Policy research / proposals
			External benchmarks for Use of Force, deaths in custody	. to it Zi a c. i abilo carety

Door comparison 9

National best practices for SOP

Emerging 45 day sub-committee focuses (II/III)







Theme	Recommended action
Culture building	Develop guiding principles for the future of APD (e.g., values, mission, vision, core objectives)
Training & Curriculum	Identify national best practice trainings to bring to APD
Career Development	Explore officer evaluations and determining opportunities for more holistic feedback on performance

Emerging Cultural & Mindset Shift sub-committee focuses Fact base to inform 45 day recommendations



	Current state	Peer comparison & examples	Data & analysis	Additional resources
Set guiding principles for APD	 Relevant APD SOPs, e.g., Oath of Office & Law Enforcement Code of Ethics (1020) Work Rules (2010) Mentally III (3080) 	Model police department SOPsCamdenSan FranciscoLos Angeles	APD & Community sentiment survey APD belief audits	Culture & organizational behavior experts Policy research / proposals 21st Century Policing New Era of Public Safety
Additional deep dive topic (II)				
Additional deep dive topic (III)	•••	•••	•••	•••

Emerging Community & Partnerships sub-committee focuses

3 prioritized based on Advisory Council sessions and survey results

Community and Partnerships

Theme	Recommended action
Community	Strengthen trust, accountability, and awareness through improvements to the ACRB
Collaboration	Develop a partnership model for the community to set joint priorities for APD within that community
Community Integration	Expand and further incentivize non-law enforcement alternatives (e.g. the Pre-Arrest Diversion program)

Emerging Community & Partnerships sub-committee focuses (I)



Fact base to inform 45 day recommendations

Current state

ACRB Annual reports & survey

ACRB

Pre-arrest Diversion (PAD)

Peer comparison & examples

> Model citizen review board practices

- New York
- San Francisco
- Berkeley, CA

Data & analysis

ACRB complaint data

ACRB budget

Additional resources

NACOLE¹ agency profiles

ACRB personnel/experts

Community policing research / proposals

- Civilian Police Review
- Alternative Models for Police Disciplinary Procedures(USCCR)

PAD Atlanta reports

Model PAD programs

- Los Angeles
- San Francisco
- Las Vegas

PAD Atlanta program in Zone 5 & 6

PAD expansion proposal, budget

APD arrest data

LEAD² annual reports

PAD personnel/experts

PAD research / proposals

- Safe Project
- Community Catalyst

^{1.} National association for civilian oversight of law enforcement 2. Law enforcement assisted diversion





Partnership Model

Current state

COPS outreach programs

- Citizens Police Academy
- Clippers and COPS
- Coffee with a Cop

Fact base to inform 45 day recommendations

Peer comparison & examples

Model community partnership programs

- Seattle, WA
- Tempe, AZ
- Rochelle, NY

Data & analysis

Community/APD survey

Initiative selection by impact & feasibility

Additional resources

Community partnerships experts

Community partnerships research / proposals

- Community Policing: Partnerships for Problem Solving
- The collaboration toolkit for community organizations (DOJ)







Appendix – focus topics

Emerging Law & Policy recommended actions (I)



Theme	Recommended action	Impact
	Ban chokeholds & strangleholds	N/A
	Require de-escalation	High
	Require warning before shooting	High
	Exhaust all alternatives before shooting	High
	Duty to intervene	Medium
Conduct guidelines	Ban shooting at moving vehicles	Medium
	⊕	Medium
	Ban no-knock warrants	Medium
	Adopt Use of Force guidelines for vulnerable populations	Medium
	Ban warning shots	N/A
	Ban use of transportation vehicles as a weapon	Medium
	Maintain ban on vehicle pursuits	N/A
	Restrict police use of restraints to when subject is physically violent to self/others	Low



Emerging Law & Policy recommended actions (II)



Theme	Recommended action	Impact
	Introduce policies to improve officer BWC capture rates of Use of Force incidents	Medium
	Improve public access/release of body camera footage	Medium
	Require all force be reported – e.g., when firearm is un-holstered	Medium
Reporting & transparency	Mandate CVSA (Computer Voice Stress Analyzer) exam be given to officers in UoF investigations	TBD
	Mandate immediate drug testing for officers whenever there is a Use of Force incident that causes serious injury or death	Medium
	Improve public access to Use of Force reports and analysis (i.e., available to public without open records request)	Medium
	Create centralized repository for witness footage of Use of Force by officers	High

Emerging Cultural & Mindset Shift recommended actions (I)



Theme	Red	commended action	Impact
Culture building	•	Commit to re-evaluating and revising mission, vision, core values, and oath of the Atlanta Police Department	High
	☆	Mandate that officers have an ongoing obligation to review Department directives and trainings on Use of Force	Medium
		Creation of an high APD award for excellence in community positive police work	Medium
		Provide mental health resources for officer	Medium
		Remove any restrictions that include nondisclosure agreements in civil settlements of Use of Force cases	Low
		Create program to educate kids & build ties to community and rotate all officers through the programming (e.g., experience one day as a police officer)	Medium
Recruitment	•	Require more exhaustive background checks with attention to record of complaints from other agencies, previous applications to police departments, and social media sentiment	High
	•	Evaluate the mental health, fitness, and implicit bias of police recruits during hiring and onboarding process	Medium
	1	Require re-evaluations every year of the mental health and fitness of law enforcement officers	Medium

Emerging Cultural & Mindset Shift recommended actions (II)



Theme	Recommended action	Impact
	Provide officers with mandatory Use of Force training and recertification semi-annually at minimum	High
	Provide officers with mandatory procedural justice training annually	High
Training &	Provide officer with specialized Use of Force training regarding applying Use of Force to particular marginalized group	High
	Provide implicit bias (E.g., training on safe interactions with LGBTQ individuals) & cultural competency training on an ongoing basis; at minimum semi-annually	Medium
curriculum	Provide communication & de-escalation training on an ongoing basis; at minimum quarterly	High
	Officers should be specifically trained in how to interact with people with mental and physical disabilities who may be in crisis; at minimum semi-annually	High
	Officers should be trained on safe interactions with members of the public who desire to film them	Medium
	Create ongoing weekly roll call de-escalation training (This should training is scenario based)	Medium
Career development cycle	Use Department of Human Resources to audit APD hiring and promotional exams	Medium
	Officer performance reviews should include de-escalation rating and put a greater weight towards de-escalation	Medium
	Shift to a 360 performance review process for law enforcement that allows for input from the community, peers, subordinates, and supervisors	High
	Implement a robust Early Warning System that identifies officers with 2 or more Use of Force incidences	N/A

Emerging Community & Partnerships recommended actions (I)



Theme	Recommended action	Impact
	Increase powers and community awareness of ACRB • Enforce 30-day APD response • Mandate 3rd party audit of misaligned cases • Incorporate ACRB review of APD SOP changes • Limit duplicative OPS investigations to case-by-case need, not standard practice • Increase period-in-office of OPS leadership for continuity • Re-launch a joint ACRB/APD mediation program for lower level complaints • Conduct marketing campaigns for community awareness	High
Community Collaboration	Schedule monthly/quarterly "huddles" where all community members can interact with police and help influence programs and policy	High
	 Revise patrolling practices Downshift all aggressive enforcement style units e.g., APEX, plainclothes, to Segway and bicycle patrols Shift patrolling time to strategic posts in community to increase interaction with residents, faith leaders, and business leaders Allow sufficient time for patrol officers to participate in problem solving and community engagement activities 	High
	Incorporate a day of SWAT training as a graduation requirement in APS	Low
	Invest in survey tools to regularly monitor community sentiment and publish results for general public	Medium

Emerging Community & Partnerships recommended actions (II)



Theme	Recommended action	Impact
	 Expand and incentivize Pre-Arrest Diversion (PAD) program Expand to Zones 1, 2, 3 & 4 Mandate pre-arrest diversion training for officers Track and report on encounters, custodial arrests, citations and diversions 	High
Community Integration	Deploy mental health professionals in response to mental heath-related crisis situations	High
	Mandate racial representation parity among patrolling officers in each neighborhood	Medium
	Incentivize officer participation in community volunteer organizations e.g., food & clothing distribution, substance abuse recovery and mental health programs.	Medium
	Relaunch the Weed and Seed program	Low
	Publish list of officers with history of excessive Use of Force	Low
	Evaluate officers on their efforts to engage members of the community and the partnerships they build; e.g., peer reviews, surveys	Medium



Appendix – 14 day recommendations

Recommendation for immediate actions

Law & Policy Culture & Mindset Shift Community & Partnerships Tick

- Commit to revising the Use of Force continuum in Standard Operating Procedure (SOP) to increase specificity and align with best practices
- Ensure that changes taken under the Mayor's Administrative Orders 2020-18 align with best practice policy changes from other cities and continue measures for accountability
- Mandate immediate drug testing for officers when a Use of Force incident resulting in serious injury or death occurs
- Commit to identifying policies to improve officer compliance and public transparency of captured body worn camera footage
- Create a centralized repository for witness footage of Use of Force by officers

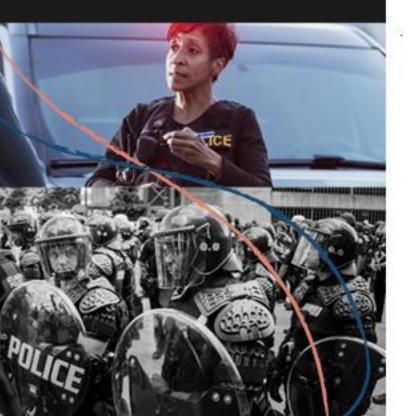
- Commit to re-evaluating and revising mission, vision, core values, and oath of the Atlanta Police Department
- Conduct additional screenings including mental health and implicit bias assessments - for all applicants during the recruiting process, and on an ongoing basis for all officers
- Require more exhaustive background checks with attention to record of complaints from other agencies, previous applications to police departments, and social media sentiment

- Extend powers and community awareness of Atlanta Citizen Review Board (ACRB), including:
 - Mandated 3rd party audit of misaligned recommendations in Use of Force incidents
 - Increased funding to improve ACRB outreach, awareness, and program effectiveness
- Begin evaluating policies, procedures, and partner organizations for least harm approach to reduce the likelihood of use of force long-term, including:
 - Evaluate partnership model, resourcing, and legal framework for non-law enforcement officials to respond to community
 - Expand and incentivize adoption of Pre-Arrest Diversion program across additional zones

Law & Policy

"If there is a place that could be a national model of good policing and strong communities, Atlanta is going to be the place."

Atlanta Citizen Review Board Staff Member



Recommended Immediate Action

- Commit to revising the Use of Force continuum in Standard Operating Procedure (SOP) to increase specificity and align with best practices
- 2 Ensure that changes taken under the Mayor's Administrative Orders 2020-18 align with best practice policy changes from other cities and continue measures for accountability
- Mandate immediate drug testing for officers when a Use of Force incident resulting in serious injury or death occurs
- Commit to identifying policies to improve officer compliance and public transparency of captured body worn camera footage
- Create a centralized repository for witness footage of Use of Force by officers

Where We Stand Today

The APD's Standard Operating Procedures (SOP) currently has notable limits on actions involving Use of Force, including:

- Prohibition of chokeholds and strangleholds
- · Prohibition of warning shots
- Restrictions on use of deadly force to situations that prevent "serious physical harm"

Recent Actions

Recent administrative orders by Mayor Bottoms have mandated additional limitations, including:

- Requiring de-escalation
- Creating an explicit duty for officers
 to intervene in and report cases of unwarranted
 excessive force by their peers
- Banning shooting at moving vehicles

As the administrative order recognizes, there are additional best-in-class safeguards that can be implemented to further mitigate Use of Force.

Every APD officer is equipped with Body Worn Cameras (BWC) to record Use of Force incidents, and APD has invested in technology to improve capture rates, including automated activation of BWC using signal sidearm devices in officer holsters for both their tasers and firearms. However, additional steps can be taken to improve the current 94% BWC capture rate of Use of Force: Create alternative paths for members of the community to submit video footage they have recorded, and facilitate faster public access to all footage to improve transparency.

Detailed description of immediate actions

LAW & POLICY

CULTURE

COMMUNITY

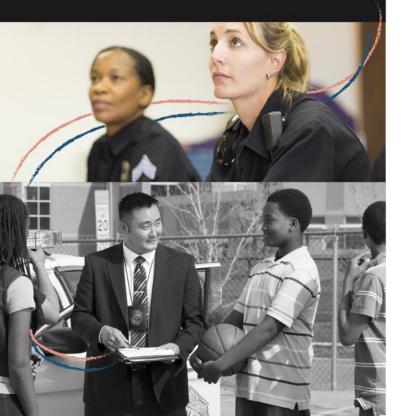


Recommended action		Category	Expected outcome
1	Commit to revising Use of Force Continuum – including incorporating de-escalation requirements; revisiting requirements for use of firearms / deadly force	Conduct guidelines	 Mitigate the frequency and severity of officer uses of force Develop clear, prescriptive guidelines to support ongoing training
2	Ensure that changes taken under the Mayor's Administrative Orders 2020-18 align with best practice policy changes from other cities and continue measures for accountability	Conduct guidelines	 Bring APD Use of Force SOP guidelines to best in class Develop clear, prescriptive guidelines to support ongoing training
3	Mandate immediate drug testing for officers when a Use of Force incident resulting in serious injury or death occurs	Reporting & transparency	 Expand available data for Use of Force investigations Bring officers into alignment with current drug testing policy for other City of Atlanta employees
4	Commit to identifying policies to improve officer compliance and public transparency of captured body worn camera footage	Reporting & transparency	 Improve percentage of Use of Force incidents captured using Body Worn Cameras (94% in current state) Build trust and accountability between ATL community and APD
5	Create a centralized repository for witness footage of Use of Force by officers	Reporting & transparency	 Supplement existing APD Body Worn Camera footage of Use of Force incidents Create a formal channel for community input into Use of Force investigations

Culture & Mindset Shift

"Our objective on every call should be to leave the neighborhood better than when we entered it."

Member of Atlanta Police Department



Recommended Immediate Action

- 6 Commit to re-evaluating and revising mission, vision, core values, and oath of the Atlanta Police Department
- Conduct additional screenings including mental health and implicit bias assessments - for all applicants during the recruiting process, and on an ongoing basis for all officers
- Require more exhaustive background checks with attention to record of complaints from other agencies, previous applications to police departments, and social media sentiment

Where We Stand Today

The APD's current recruiting process is made up of three phases intended to both verify the applicant's background and qualifications, and evaluate their fitness for the role of policing. This includes:

- Initial screenings, including cognitive and Psychometric testing
- Background checks encompassing criminal history, employment history, and character reference assessments
- A **final confirmation** pending results of a thorough background interview and completion of a psychological interview, Georgia's Peace Officer Standards & Training (POST) screening, and drug testing

Upon accepting their offer, new Cadets attend the APD's academy, which includes over 780 hours of training (almost double that required by the State of Georgia) across a breadth of topics. All members of the APD are also required to complete 24 hours of training each year to refresh their knowledge. These comprise of:

- Mandatory Use of Force and De-Escalation training
- Elective Cultural Awareness, Procedural Justice, and Community Relations courses

In order to build and sustain a culture of accountability within the APD, monitoring systems have been put in place to preemptively minimize risks of putting officers unfit for duty on patrol. The Early Intervention and Early Warning System – implemented to identify employees with a pattern of detrimental behavior (including use of excessive force) - has been in place at the APD since 2016 and is maintained by The Office of Professional Standards (OPS) command.

The Council recognizes that truly transformative change requires a strategy to transform culture that cannot be implemented in the brief life-span of this Council. Transformation towards a servant leader culture takes time. However, the process must begin now.

Detailed description of immediate actions

LAW & POLICY

CULTURE

COMMUNITY



Recommended action	Category	Expected outcome	
6 Commit to re-evaluating and revising the mission, vision, core values, and oath of the Atlanta Police Department	Culture building	 Ensure that the principles that govern APD are in alignment with the principles that govern the community at large 	
7 Screen for mental health issues both during hiring and on an on-going basis	Recruitment	Reduced exposure to individuals that are not fit to be officers	
Require more exhaustive background checks w/ attention to record of complaints from other agencies, previous applications to police departments, & social media sentiment	Recruitment	 Reduced exposure to individuals that are not fit to be officers Improving APD's effectiveness in hiring officers aligned with core values of the department 	

Community & Partnerships

"I expect the APD to befriend the community before it polices the community."

Grady High School Student, Class of '20



Recommended Immediate Action

- **9** Extend the powers and community awareness of Atlanta Citizens Review Board (ACRB), including:
 - Mandated 3rd party audit of misaligned recommendations in Use of Force incidents
 - Increased funding to improve ACRB outreach, awareness, and program effectiveness
- Begin evaluating policies, procedures, and partner organizations for least harm approach to reduce the likelihood of use of force long-term, including:
 - Evaluate partnership model, resourcing, and legal framework for non-law enforcement officials to respond to community
 - Expand and incentivize adoption of Pre-Arrest Diversion program across additional zones

Where We Stand Today

The APD in tandem with non-profit orgs ran ~70 unique community engagement initiatives in the past year, to bridge the gap between law enforcement and the community. This includes a range of programs, spanning from athletic leagues to youth centers to special projects (e.g., Coffee with a Cop).

The **Atlanta Citizen Review Board (ACRB),** established 2007, investigates resident's complaints and provides recommendations on disciplinary action to APD Chief. While scope and alignment across APD and ACRB has improved, there is currently a 124-day median response time. In 2019, 26% of opinions on excessive use of force had differing APD/ACRB recommendations. In cases with differing opinions, the APD's recommendation is upheld without further third-party arbitration or audit.

Recent administrative orders have mandated reporting of all uses of deadly force to the ACRB, expanding the scope and influence of the ACRB further.

The City of Atlanta has also invested in piloting **least harm initiatives** (e.g., Pre-arrest diversion program, @Promise youth center) to partner with APD in alternative outcomes. Opportunities exist to increase coverage to all zones and increase use of these initiatives for eligible persons.

Expansion of these initiatives presents an opportunity to support APD in response to situations regarding mental health, homelessness, substance abuse, domestic violence, human trafficking, and child abuse.

Detailed description of immediate actions

LAW & POLICY

CULTURE

COMMUNITY



Recommended action

- Increase powers and awareness of ACRB
 - Enforce 30-day APD response
 - Mandate 3rd party audit of misaligned cases
 - Increase funding to increase outreach and program effectiveness
- Begin evaluating policies, procedures, and partner organizations for least harm approach to reduce the likelihood of use of force long-term, including:
 - Evaluate partnership model, resourcing, and legal framework for non-law enforcement officials to respond to community
 - Expand and incentivize adoption of Pre-Arrest Diversion program across additional zones

Category Expected outcome

- Community
 Shorter delays in APD response to ACRB recommendations
 - Greater APD/ACRB alignment on complaints
 - Increased community reporting of excessive UoF incidents
- Reduced reportable use of force incidents
 - Increased community goodwill & trust
 - Reduced arrests for minor infractions
 - Reduced risk of needless escalation